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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

8 ATMEL CORPORATION, No. C-06-02138 CW (EDL)  
9 Plaintiff,  
10 v.  
11 AUTHENTEC INC,  
12 Defendant. /

**ORDER VACATING HEARING ON  
DEFENDANT'S MOTION TO MODIFY  
DESIGNATION OF ALLEGEDLY  
HIGHLY CONFIDENTIAL  
DOCUMENTS, SETTING CONFERENCE  
CALL**

14 On November 21, 2007, Defendant filed a Motion to Modify the Designation of Allegedly  
15 Highly Confidential Documents along with a Motion to Shorten Time to hear that motion on  
16 December 11, 2007. On November 29, 2007, the Court granted the Motion to Shorten Time, set a  
17 briefing schedule and set the motion hearing for December 11, 2007.

18 On December 3, 2007, the Court issued an Order denying without prejudice Defendant's  
19 Motion To Compel Atmel's Compliance with Discovery Obligations for failure to meet and confer  
20 as required by Federal Rule of Civil Procedure 37(a)(2)(A) and Civil Local Rule 1-5(n). The Court  
21 ordered senior counsel from each party to meet and confer in person regarding all pending and  
22 future discovery disputes, including the Motion to Modify. In its December 5, 2007 reply to its  
23 Motion to Modify, Defendant stated that senior counsel had scheduled a meet and confer session for  
24 December 11, 2007, the same morning as the scheduled hearing on the Motion to Modify.

25 In light of the scheduled meet and confer session, the December 11, 2007 hearing is vacated.  
26 The Court expects that senior counsel will resolve all, or at least the vast majority, of the discovery  
27 disputes raised in the Motion to Modify. The Court is mindful, however, that the Motion to Modify  
28 must be resolved promptly due to the December 18, 2007 mediation. Accordingly, the Court will  
hold a conference call with senior counsel on December 11, 2007 at 3:00 p.m. PST to find out

1 whether any disputes remain with respect to the Motion to Modify and, if so, establish a timeline for  
2 resolving those disputes.

3 **IT IS SO ORDERED.**

4 Dated: December 7, 2007

*Elizabeth D. Laporte*

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ELIZABETH D. LAPORTE  
6 United States Magistrate Judge  
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